

FILED

JAN 27 2016

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY A. Howden DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

v.

VASCULAR SOLUTIONS, INC., (1) and,
HOWARD ROOT, (2)
Defendants.

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Case No. SA-14-CR-926-RCL

ORDER

Upon consideration of defendants Vascular Solutions, Inc. and Howard Root's Motion [164] in limine to exclude evidence regarding Medicare coverage, the opposition [181] and reply [190] thereto, and the record herein, defendants' Motion [164] is **DENIED**.

It is **ORDERED** that the government may introduce evidence concerning the Medicare or private insurance coverage of the treatment of perforator veins at trial. The reimbursement conduct is alleged as an overt act in the charged conspiracy.

It is **SO ORDERED**.

Dated: 1/27/16

Royce C. Lamberth
ROYCE C. LAMBERTH
United States District Judge